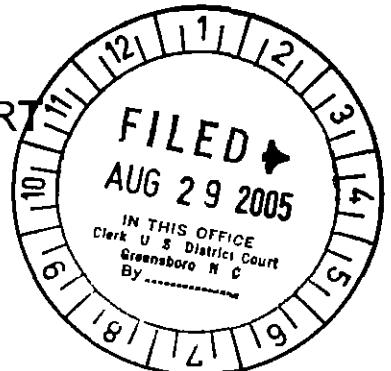


UNITED STATES DISTRICT COURT

Middle District of North Carolina



ABBASS OLANREWAJU)
MUHAMMED,)
Plaintiff, pro se,)
v) 1 04CV593
)

UNITED STATES OF AMERICA,)
F B I ,)
Defendant)

ABBASS OLANREWAJU)
MUHAMMED,)
Plaintiff, pro se,)
v) 1 04CV562
)

DOUGLAS RENTZ,)
Defendant)

O-R-D-E-R

On May 24, 2005, in accordance with 28 U S C § 636(b), the Recommendation of the United States Magistrate Judge was filed and notice was served on Plaintiff and a copy was given to the court

Within the time limitation set forth in the statute, Plaintiff objected to the Recommendation

The court has appropriately reviewed the portions of the Magistrate Judge's report to which objection was made and has made a de novo determination which is in accord with the Magistrate Judge's report. The court hereby adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED that Defendant Rentz's motion to dismiss or alternatively, for summary judgment (Docket no 12, case no 1:04CV562) is GRANTED, and that Plaintiff's *Bivens* action be DISMISSED. IT IS HEREBY FURTHER ORDERED that Plaintiff's motion for return of property (Docket no 2) be GRANTED IN PART AND DENIED IN PART. Defendant United States is ORDERED to deliver the two Nigerian passports to the appropriate entity and to return to Plaintiff the following property in the government's possession: one Panasonic fax machine, one Motorola pager, three Nokia cell phones, one Lexmark printer, one Smith Corona typewriter, and various photos. In all other respects, Plaintiff's motion for return of property is DENIED. A judgment dismissing this action will be entered contemporaneously with this Order.



William J. O'Brien
UNITED STATES DISTRICT JUDGE

DATE August 29, 2005